

REMARKS

The Office Action mailed June 17, 2004 has been reviewed and carefully considered. Claims 1-6 remain pending in this application, of which the independent claims are 1 and 3. Reconsideration of the above-identified application in view of the following remarks is respectfully requested.

Claims 1-6 stand rejected under 35 U.S.C. 103 as unpatentable over U.S. Patent 6,278,887 to Son et al. ("Son") in view of U.S. Patent 6,332,074 to Spitaletta et al. ("Spitaletta"). As mentioned in connection with the each of the three previous Office Actions, the patent number of the latter reference is misidentified in the Office Action, but the applicant presumes that the patent number supplied hereinabove is the intended one.

Claim 1 recites:

"checking whether a user of said telephone activates said SEND key to place a call from said telephone; and
deactivating the power supplied to the display in response to said call being placed from said telephone due to said activation of said SEND key."

Son provides particular time periods for respective events, so that occurrence of the event initiates a time period after the expiry of which the display of

portable phone is deactivated. A time period of shorter length may be triggered if the “send button” is actuated “as the ‘send’ button if oftentimes the last button entered in placing or accepting a call” (col. 8, line 37(38)-38(39)). Accordingly, Son discloses one button for both placing and accepting a call. At best, Son can be described as disclosing or suggesting merely the checking of whether a user activates the SEND key.

By contrast, the present invention as recited in claim 1 performs the step of “checking whether a user of said telephone activates said SEND key to place a call from said telephone.” Use of separate keys as in the present invention (FIG. 2, ref. no. 205; FIG. 3, ref. no. 309), avoids the ambiguity that might otherwise result in the event a key is pressed just as the phone begins to ring. FIGs. 2 and 3 pertain to methods performed by the same embodiment of the invention. See page 6, line 21 – page 7, line 2 (“FIG. 2 shows a procedure for controlling the operation of the LCD during a call origination according to the embodiment of the present invention, and FIG. 3 shows a procedure for controlling the operation of the LCD during a call termination according to the embodiment of the present invention.”) Referring to FIGs. 2 and 3, when the power to the phone is turned on, the controller 111 checks for whether the SEND key is input and whether a ring signal for an incoming call is received. If a ring signal is received, the phone begins to ring (page 9, lines 3-8). If at that split second the user presses the SEND key, the controller 111 assumes the user was about to place a call, since the

SEND rather than ANSWERING key was pressed, and processing therefore waits to see if the call is established (FIG. 2, ref. no. 207). If, on the other hand, the present invention had, instead, the one dual-purpose “send” key of Son, it would be unclear if the user was trying to answer the call or place a call.

Son, at best, checks for activation of the “send key,” but fails to disclose or suggest “checking whether a user of said telephone activates said SEND key to place a call from said telephone” as explicitly required by the language of claim 1.

Spitaletta likewise fails to disclose or suggest other than a single, dual-purpose “send” key for placing or answering a call (col. 3, line 40: “send key 32”; lines 43-47). Spitaletta, at least for this reason, fails to make up for the deficiencies in Son. For at least the foregoing reasons, the proposed Son/Spitaletta combination fails to render obvious the invention as recited in claim 1.

Claim 3 similarly requires:

“(a) determining whether an originating party has used said telephone to request a call connection to place a call to a terminating party”

For the same reasons applied above with respect to claim 1, the proposed combination fails to render obvious the invention as recited in claim 3.

Each of the other rejected claims in this application are dependent from independent claims 1 or 3 discussed above and are therefore likewise deemed to be

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patentable for at least the same reasons.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application.

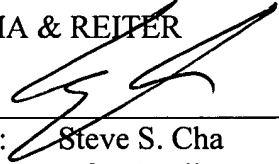
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In the event that any additional fee is required to continue the prosecution of this Application as requested, please charge such fee to Deposit Account No. 502-470. If the Examiner has any questions regarding this Application, it is respectfully requested that the Applicants' attorney of record be contacted at the below-noted telephone number.

Respectfully submitted,

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9/15/04

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